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UNCLAS SECTION 01 OF 07 ABIDJAN 000226

SIPDIS

SENSITIVE
SIPDIS

STATE FOR G/TIP,G,INL,DRL,PRM,IWI,AF/RSA; DEPT FOR USAID

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SUBJECT: COTE D'IVOIRE: 2006 TIP REPORT

REF: SECSTATE 3836

11. (SBU) Since a September 2002 coup attempt that evolved into a civil war, Cote d'Ivoire has been partitioned in two with the government maintaining control of the south and the ex-rebel New Forces controlling the north. Tensions between the two sides have lessened since the appointment of a new Prime Minister in December 2005 but the peace process remains stalled. The economy has stagnated as a result of the crisis and government revenues have declined, creating severe budgetary pressures. The government of Cote d'Ivoire has necessarily focused on ending the conflict, reunifying the country, disarming and demobilizing former combatants, and organizing elections. Despite these challenges, the government has demonstrated political will and dedicated some limited resources to combating TIP. In addition, available information indicates that the overall magnitude of international trafficking to Cote d'Ivoire has decreased since civil war broke out in 2002, because of the partition of the country, tighter security at borders, and decreased economic opportunities.

12. (SBU) Overview of Cote d'Ivoire's activities to eliminate trafficking in persons (Para 21, Reftel):

1A. Cote d'Ivoire is primarily a country of destination for international trafficking of women and children. Cote d'Ivoire is also, to a limited degree, a transit country and a country of origin to countries in Europe as well as Libya and Syria. Domestic trafficking is more prevalent than international trafficking and it occurs in the New Forces (NF)-controlled zone, as well as the government zone. There is no centralized record keeping in Cote d'Ivoire. Consequently, there are no reliable numbers available as to the extent or magnitude of the problem. Anecdotal data are provided when available. Sources of available information on TIP include local and international NGOs, the police and defense forces, the Ministry of Justice, the Ministry of Family and Social Services, and other embassies. Women and girls are more at risk of being trafficked than boys. We have no reports of men being trafficked in or to Cote d'Ivoire. Victims are more likely to come from the north, and to a lesser extent, from the west, than from southern or eastern Cote d'Ivoire.

1B. Women and children were trafficked from Nigeria and Ghana mainly for sexual exploitation in Abidjan and larger towns. A small number of women and children are trafficked from

North Africa, the Ukraine, China, and the Philippines to become prostitutes. Sometimes, the women are promised jobs in restaurants or hair salons but are then forced into prostitution. Frequently, these girls and women come to Abidjan and its surroundings and work for a few days or months in order to generate enough money to pay for tickets, identity papers, and reimburse traffickers. If they earn enough money and if the trafficker allows it, the women go to their final destinations, usually European countries such as Spain, the Netherlands, and Italy. The victims often live in hotels or brothels and can only go out in public under the surveillance of their pimp. Traffickers often threaten the victims and use physical violence.

While international traffickers can be loosely organized, domestic traffickers are often related to the victim by blood or ethnic ties. The trafficker might be a distant relative capitalizing on the system throughout West Africa known in Cote d'Ivoire as "confiage" that encourages communal raising of children. The traffickers deceive parents with promises of schooling, money, or an apprenticeship for the child. Parents are often proud to say their child is in Abidjan working or are too overwhelmed by the number of children they have to feed to worry about parting with one. If they child returns with money, they frequently overlook the emotional and physical damage.

In September, gendarmes in the province of Bondoukou stopped a bus traveling with seventeen unaccompanied boys aged 13-18. The trafficker had traveled to Burkina Faso to get workers for cashew farms in the area. The villagers in Burkina Faso and the Ivoirian trafficker were of the same Lobi ethnic group. The government called UNICEF and Burkina Faso's

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Consul General in Abidjan to help care for the children. UN forces eventually helped repatriate the children.

The local NGOs African Movement of Children and Young Workers (MAEJT) and Movement of Social Action (EASEMO), helped repatriate five children who had been trafficked to Cote d'Ivoire from Burkina Faso. The trafficker told the parents they would attend Koranic school. When the children were finally repatriated, the parents had thought they were a few towns away and didn't know they had left the country.

The most vulnerable group for trafficking purposes are children from the poorest parts of the country who do not have birth certificates, making it easier for traffickers to conceal their identity. Without a government presence in the north, children often do not receive official certificates. Moreover, in small villages in both the rebel and government zones, poorer uneducated parents often do not even request birth certificates for their children. Children who have never gone to school, or have dropped out of school are also at risk. The government refused to administer school exams in the NF zone for three years, resulting in a higher incidence of children not going to school or dropping out. All of these factors make the children of the north especially vulnerable to trafficking.

While in recent years, international pressure and press coverage has drawn attention to child labor and trafficking in the cocoa sector, it appears that the most common victims of trafficking are young girls brought to Abidjan to perform domestic labor. In the cocoa sector, smaller Ivoirian farmers generally use their own children as farm hands while larger plantations owned by Ivoirians employ men from Burkina Faso and other neighboring countries. Children trafficked to perform labor in the cocoa sector are most commonly found on large farms of owners from neighboring countries who exploit the system of confiage to bring children in from their own countries to work the farms. There were reports of children who, once interviewed apart from the farmers, revealed that, indeed, the farmers were not their real parents. This makes it difficult to estimate the overall magnitude of trafficked

children in the cocoa sector.

A study conducted by the ILO and the UNHCR in 2004 revealed that in western Cote d'Ivoire within the Regugee Welcome Zone (ZAR), refugee and displaced children are increasingly becoming victims of trafficking and other forms of exploitation. Many children, in order to provide for themselves or their families, are not attending schools and are exposed to an increasing range of situations where they are easily exploited. The traffickers in the ZAR often recruit young girls of thier own ethnic group to become domestic servants. Children are also recruited to work in mines or palm oil plantations. The trafficker usually receives at least 10% of the child's wages.

There is political will to combat trafficking in persons, though the highest levels of the Ivoirian government are currently preoccupied primarily with the political crisis. Furthermore, Ivoirians are at the early stages of hearing about and understanding what trafficking is. The international press first drew Ivoirians' attention o the phenomenon of trafficking in Cote d'Ivoirewith reports of Malian boys working as slaves incocoa farms. Frequently, Ivoirians view international reports about trafficking as a way to "discredit" Cote d'Ivoire. Elected officials have little incentive to address an issue that doesn't concern their constituents. Still, at the lower leves of government, officials are trying to address he problem with the meager resources they have a their disposal.

¶C. Because of the ongoing criis, the government of Cote d'Ivoire is facing anextreme budget shortfall and lacks the resourcesto adequately support anti-trafficking programs. Despite official figures showing modest economic grwth in 2004 and 2005, Cote d'Ivoire probably experienced zero or negative growth in 2002-2005. Te country remains partitioned in two and the govrnment struggles to provide social services in the areas it controls. Poverty is endemic, making amilies more vulnerable to traffickers. However,the government has managed to devote some human

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resources to various programs. For example, the government encourages police officers, gendarmes, and other officials to attend seminars hosted by NGOs to learn how to identify traffickers and treat the victims. Local officials have participated in the implementation of programs and have also devoted human resources from their offices to neighborhood watch groups and local NGOs engaged in the fight against trafficking in persons. They have also provided office space.

¶D. The government follows and supports anti-trafficking efforts, but not systematically on any front. When international or local NGOs hold seminars on trafficking in persons, the government participates and shares information with their partners in the fight. The press covers these seminars and through media reports, the public is informed.

¶3. (SBU) PREVENTION (Para 22, Reftel)

¶A. The government does acknowledge that trafficking is a problem. On July 27, the Ministry of Family and Social Services, hosted the signing ceremony for a multi-lateral cooperation agreement to combat trafficking in children. Nine countries signed the accord: Benin, Burkina Faso, Cote d'Ivoire, Guinea, Liberia, Mali, Niger, Nigeria, and Togo. The agreement represents the first time that West African states have taken the initiative to create and sign a multilateral agreement to combat child trafficking without the aid of an international organization. The government of Cote d'Ivoire, through the National Committee for the Fight against Trafficking and Child Exploitation (NCFTCE), took the lead creating and cultivating support for the agreement.

However, the government has also sought to portray the trafficking issue to the Ivoirian public as an assault on the

vital cocoa sector and an attempt to besmirch the reputation of Cote d'Ivoire. Thus, while the government does acknowledge that trafficking is a problem, it is a politicized issue that is not yet clearly linked to the political will to devote more public resources for anti-trafficking efforts on the part of the government.

1B. The Ministry of Family and Social Services has the lead on trafficking issues. They work with the Ministries of Justice, Defense, the Interior, and to a smaller degree, Labor.

1C. In June 2005, the ILO paid for a seminar to sensitize the people of Bondoukou, a province in the north-east where many trafficked girls come from. While the ILO financed the seminar, the government was the sole organizer.

1D. The Ministry of Labor and the ILO continued to implement the "West African Project Against Abusive Child Labor in Commercial Agriculture" (WACAP) to increase farmers' awareness, improve schooling for children, and provide better social services to families. Between June and October, over 21,000 people were educated through the pilot project.

The National School for Civil Servants, with the help of the ILO, added a course on child labor as part of the curriculum for Workplace Inspectors.

The government also contributes money to the Institutions for Female Training and Education (IFEFE) centers around the country where women can go take literacy, cooking, and sewing courses and learn about hygiene and homemaking.

1F. The government has a good relationship with international and local NGOs involved in anti-trafficking efforts. The Ministry of Family and Social Services is forthcoming and well regarded in its anti-trafficking interactions with NGOs and other international organizations. Most local NGOs and international organizations (except for ILO) that are involved in the anti-trafficking fight are members of the NCFTCE, chaired by the Minister of Family and Social Services and cooperation is good. Since the government does not have shelters around the country, officials often ask local NGOs for assistance in offering shelter as well as medical and psychological assistance to recovered trafficking victims.

1G. The government is unable to adequately patrol its long,

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porous border. It does not maintain publicly available statistics on border crossings. Additionally, it is difficult to know the extent of trafficking across the northern borders due to the partition of the country. However, the Ministry of Security has instructed police and gendarmes at various border points to arrest people trying to bring children into Cote d'Ivoire. In the south, buses carrying children being trafficked from Ghana to Cote d'Ivoire are routinely turned away. The border police prefer to deny entry into Cote d'Ivoire to children traveling with people who are not their parents, because they often have no place to put them. To avoid being apprehended, traffickers sometimes enter Cote d'Ivoire along the coast by boat.

1H. The NCFTCE coordinates the efforts of the various agencies.

1J. The government finalized its national action plan in 2004. Representatives from key ministries played an active role, as did several international and local NGOs involved in the anti-trafficking fight. However, the NCFTCE has not received any money to implement the steps in the plan. The ILO has pledged \$100,000 for 2006 to help implement the plan.

14. (SBU) INVESTIGATION AND PROSECUTION OF TRAFFICKERS (Para 23, Reftel)

¶A. Cote d'Ivoire does not have a specific law prohibiting or punishing trafficking in persons. There is no specific law against slavery. The government, however, has drafted and submitted legislation against trafficking in persons to the National Assembly. Given the current political crisis, it is unclear when the National Assembly will act on the proposed law.

The government can prosecute traffickers under the law prohibiting kidnapping of children (Penal Code, Article 371). The government can also use the law prohibiting the removal (alienation) of a person's freedom (Article 376), receiving or leaving a person as a financial security (Article 377), or imposing labor or a service on a person (Article 378). Bad treatment, torture, or starvation of minors is also punishable (Article 362). These laws are used in trafficking cases. Despite this list of statutes and some arrests, the proposed anti-trafficking law is needed to adequately cover the full scope of the problem.

¶B. There are currently no specific penalties for traffickers of people for sexual or labor exploitation.

¶C. There are currently no specific penalties for sex trafficking. Rape is punishable by 5-20 years imprisonment (Penal Code Article 354). The sentence becomes life imprisonment if the perpetrator has one or more accomplices or is the father, an older relative or a person who has responsibility for the victim's upbringing, or if the victim is under 15 years of age. The penalty for statutory rape or attempted rape of either a girl or a boy under the age of 15 is 1-3 years in prison and a fine of \$150-1,500, less than for other rape cases (Penal Code Article 356).

¶D. There is no law against prostitution as long as it is between consenting adults and in private. Accosting a client is a crime, as is procuring (pimping), even if the prostitute is an adult. Operating an establishment that is mainly for prostitution is a crime.

While police officers often receive reports of brothels operating with trafficked women and children, they are constrained from following up on these reports by a lack of police cars. Police also usually do not have any support to offer victims they rescue.

NGOs have reported that the security forces often use their position to exploit prostitutes. The local NGO, Movement of Nid, that operates in the district of Yopougon, an area highly frequented by prostitutes and their clients, reports that foreign prostitutes who do not have the proper identity paper are often forced to have sex with police to avoid going to jail. The security forces are also frequently customers of the same brothels that they are charged with dismantling.

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¶E. The government prosecuted one case of trafficking in 2005. As no law exists against trafficking, the man was charged with kidnapping a minor.

¶F. According to various sources, the people involved in the transnational trafficking trade are transporters and other traffickers from the countries of origin of the children. The people receiving the victims (especially children) are usually people from the same country as the people being trafficked. The people involved in internal domestic trafficking are almost all Ivoirians, and are usually known to the children's parents. The traffickers are not known to work in large groups or networks. There is no evidence that government officials are directly implicated in trafficking. There are no reports indicating that profits from trafficking in persons are being channeled to other persons or entities.

¶G. Very rarely does the government investigate cases of

trafficking. As mentioned elsewhere, the government's ability to devote resources to trafficking has diminished since the onset of the rebellion. Furthermore, police officers have very few resources available, usually not even a government vehicle, to conduct their official duties. There is no information that the government used undercover electronic means to investigate trafficking (or any other crime) nor of there having been offers of immunity from prosecution for potential witnesses. There is no procedure, code, or law prohibiting police from engaging in covert operations.

¶H. The government was unable to provide any specialized training in 2005 due to budget constraints. The NCFTCE plans to provide more training with money from the ILO in 2006.

¶I. The multilateral agreement mentioned in section 22A calls for cross-border cooperation in the investigation of child trafficking networks and the prosecution of traffickers. At the time of this report, however, there had not yet been any instances of international cooperation on trafficking.

¶J. The government has not extradited suspected traffickers. To date, authorities arrest, try, and require traffickers to serve their sentence in Cote d'Ivoire before sending them out of the country. The multi-lateral agreement referred to in section 22A calls for extradition to signatory countries. There is no law prohibiting Ivoirians from being extradited.

¶K. There is no evidence that government officials were directly implicated in trafficking. However, as many aspects of law enforcement and public administration are open to bribery and other corruption, some government officials may have been complicit in trafficking, although we have no hard evidence of such complicity or other corruption.

¶L. N/A

¶M. Child sex tourism is not known to be a problem in Cote d'Ivoire.

¶N. The government ratified ILO Convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labor in July 2003.

-The government ratified ILO Convention 29 on forced or compulsory labor November 25, 1960.

-The government ratified ILO Convention 105 on forced or compulsory labor on May 5, 1961.

-Cote d'Ivoire ratified the The Optional Protocol to the Convention on the Rights of the Child (CRC) in 1991. The Council of Ministers signed the Optional Protocol on the sale of children, child prostitution, and child pornography at the end of 2004 and it must now go to parliament.

-The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention Against Transnational Organized Crime has not been signed or ratified.

¶5. (SBU) PROTECTION AND ASSISTANCE TO VICTIMS (Para 24, Reftel)

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¶A.

The government, in general, does not have special centers for victims. The government requires the help of local NGOs that have centers and can provide shelter, medical and psychological assistance to the victims. However, government practices have evolved in recent years. Historically, police have sent rescued children to the police academy in Abidjan. More frequently, the police now call the Ministry of Family and Social Services or an NGO to take care of the child.

¶B.

The government does not provide funding to foreign or domestic NGOs for services to victims. The government asks

international NGOs to give money to local NGOs that have the capacity to provide services to the victims and encourages international NGOs to conduct anti-trafficking campaigns. The government has also assigned one civil servant to work with the Abel Community of Grand Bassam. In Bonoua, the mayor and deputy mayor have assigned their assistants to work with the watch groups and provided an office and a room to accommodate the child victims until they are picked up by Abel.

1C.

There is no formal screening and referral process in place. When trafficking victims are brought into police custody in major Ivoirian cities, the police normally contact the Ministry of Family and Social Services which alerts local and international NGOs that can provide support and shelter.

1D.

Trafficking victims are not usually arrested, but some are prosecuted on a case-by-case basis for offenses such as prostitution or documentary fraud. On several occasions, trafficked children were kept in police custody in centers for young delinquents because the police officers did not know where else to keep them.

1E.

The government does not encourage or discourage victims from assisting in the investigation and prosecution of trafficking. The absence of a law against trafficking limits the recourse a victim has in the judicial system.

There is no program of witness protection or program of restitution. Moreover, foreign victims who are material witnesses in court cases against former employers must leave the country if they cannot find other employment. If the victim is an adult, the victim can file a complaint. If the victim is a child, the police usually attempt to return the child to his/her family or to a community member.

1F.

No special protection is given beyond what is normally given to witnesses in other criminal cases. The government does not run any shelters. If shelter or other benefits are needed for victims, the government would refer the case to an NGO. However, the government has placed a building plus utilities at the disposal of the International Catholic Bureau of the Child that BICE has converted into a shelter for children in difficult situations.

1G.

The government was unable to conduct training sessions for government and security officials during the year due to budget constraints. The government does not provide training on protection to its embassies and consulates in foreign countries.

1H.

There was no formal government assistance for repatriated nationals who were victims of trafficking.

1I.

Several international organizations and NGO's work on trafficking issues in Cote d'Ivoire, including Save the Children UK and Sweden, UNICEF, GTZ, the BICE (International Catholic Bureau of the Child), and the ILO. Local NGOs include: Afrique Secours Assistance (ASA), the Abel Community, the Movement of Nid, the Amigo Doume Foundation, EASEMO, MAEJT, and Cote d'Ivoire Prosperity. As noted above, the government cooperates with NGOs but

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provides little material support due to a lack of funding.

International NGOs provide funds for the local NGOs to assist victims of trafficking. Services include counseling, literacy courses, medical care, reuniting victims with their families in Cote d'Ivoire, and repatriating foreign victims.

END TRAFFICKING RESPONSES.

Mission point of contact is FS 05 PolOff Phaedra Gwyn:
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Estimated number of hours by Officers spent on TIP Report is
85 hours.
Hooks